

27 October 2020

Re: Tonya M. Saxby

To: The Honorable Judge Rebecca Beach Smith

I sit here tonight in our house, alone, while Tonya is working her overnight shift at the nursing home. I look around at our home that she has built and begin wondering... is this how it will be in a few weeks? If she is incarcerated in prison, how will this home survive? How will I survive? She is the heart of the life that I know!!! And without her, my life also becomes imprisoned, just inside these come-and-go walls.

For clearness, please know I'm not writing to ask you to absolve her guiltiness. Contrary... she has become emphatic about admitting her errors and 'owning' them. We haven't talked with a lot of people about what happened over the past few years. But when we have, and people seem incredulous at the serious results of her actions, she is quick to admit what she did was wrong and there's not gray area for discussion. She clearly owns up to it!

Please believe me, when I say Tonya is truly remorseful for her actions and has a real sense of responsibility and duty to pay her commitment to society. I have watched her over the past few months understand this more fully and assume that accountability. Her feelings have shifted to sorrow and repentance. And now she wants to repay. I am proud of her for this growth.

So, I write this letter, Your Honor, transparently and quite selfishly... to ask for your ultimate and greatest measure of mercy, compassion and leniency!! That, which I know, only you can give her. I am hoping with the words of others (and myself), along with the reports of her willingness to cooperate through the events of her investigation and trial, that a picture, an image, a favorable representation of Tonya is emerging before you... one that compels you to give these.

Before you today, is a woman of great heart, caring, thoughtful and loving. I honestly have never heard anyone speak negatively about her, questioned her dedication to friends, love of family or willingness to help others, strangers. And I know that down inside, she viewed her company as an extension of herself, willing to help her employees and customers at the expense of herself personally. We know today that she went too far with her company's dealing, unchecked and imbalanced. It's not the person she is, so how?

I'm afraid a large part of that lays with me, Your Honor. I failed my wife on so many levels that it pains me daily now. For 20 years, I watched her mood swings and behavior, not knowing she was suffering from diagnosed severe depression. I never really thought about her in those terms. I excused it was 'just a bad day for her.' I was beside her four years ago, when she had a pacemaker added to correct/limit a very serious, debilitating heart condition. Yet, I unfairly expected her to live normally, actively. As her partner, I was so busy with my own career, my eminent retirement, I didn't see right under my nose, her struggles with keeping the business alive. Not being involved was convenient. And finally, I was the one person she should have been able to turn to... about

anything, including her desperate financial decisions. She was trying to keep everything going, everyone happy. Sadly, I wasn't doing the same for her. I am now!

Since everything has happened and we've begun to face a different and uncertain future, it is easier for me to understand her and see how short I fell (and still fall at times.) Without hesitation, I can clearly see how Tonya, not experiencing all my support, mostly alone and facing tough times, grow in feelings of loneliness and desperation. I now wonder, had I been a better partner, a better husband would Tonya certainly have gotten so tangled up in everything she was dealing with, physically and personally?

Your Honor, the day-to-day struggles that Tonya goes thru are real, not just typed words. It's her new way of life. I worry about her struggles each day. But then I'm impressed with her dedication and resolve to give back. Although she suffers either physically or emotionally or both daily, weekly she pushes on. I have been watching lately how she works through it all and I am hoping it continues to heal and restore her inner self.

With all this said, I'm not trying to excuse anything away. She acknowledged her mistakes and plead guilty. But I know it wasn't a plan, a 'scheme' that failed. She ran her business with her heart, tried to make all ends meet and got lost. She endured her illnesses, emotional family changes, the struggles of maintaining a small business and just wilted. I am hoping to not excuse everything, but to frame everything in a more understanding, different light.

I cannot even begin to comprehend the extent of financial loss and damage to others. And I truly am sorry for all of it. But, as I mentioned previously, I'm asking you, selfishly, to give Tonya and I the ability to rebuild our life together today. By allowing her to serve her sentence, under house confinement, she can begin to repay the debt to society in 'coin' and service. And I can continue to become the husband, friend and partner she has missed, needs and deserves.

My final petition, Your Honor, is to allow the personal damages we have suffered to abate. I'm not asking for the seriousness of her actions to be whitewashed or her responsibility to repay others and society forgotten. But please give us the ability to recover together.

I sincerely appeal to your greatest measure of mercy and leniency.

Please give Tonya (and I) an immediate gleam of hope that somehow our life together will once again rebuild...with her coming home each night.

Thank you for hearing me and taking this appeal into your consideration, Your Honor.

V/r,

A handwritten signature in black ink, appearing to read "Rob Saxby". The signature is fluid and cursive, with the first name "Rob" and last name "Saxby" clearly distinguishable.

Rob Saxby